IN THE HIGH COURT OF GUJARAT AT AHMEDABAD

FIRST APPEAL No. 296 of 1981
With
FIRST APPEAL No. 297 of 1981

For Approval and Signature:

HONOURABLE MR.JUSTICE R.S.GARG

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ORIENTAL FIRE AND GENERAL INSURANCE CO. - Appellant(s)
Versus
NATHABHAI MANGALBHAI PARMAR & 2 - Defendant(s)

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Appearance :
Ms. Archana Acharya for Appellant
None for Respondent: 1,
NOTICE UNSERVED for Respondent : 2,
UNSERVED-EXPIRED (N) for Respondent : 3,

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CORAM : HONOURABLE MR.JUSTICE R.S.GARG

Date : 14/06/2007

ORAL JUDGMENT

Ms. Archana Acharya, learned counsel for the appellant in each of the appeal; none for the respondent no.1 though served.

In First Appeal No. 296/81, contesting respondent/original claimant Bhupatbhai Dhirabhai Parmar has expired long back and no application for substitution of legal representatives has been made till date. Similarly, in First Appeal No. 297/81, respondent no.3/sole claimant Ratnabhai Kabhaibhai Solanki has expired long back and no application for substitution has been made. As the original claimants who could secure an award in their favour have died

in each of the appeal and on their death, their legal representatives have not been substituted, the cause to proceed with the appeal would not survive in favour of the appellant in either of the appeal. Each of the appeal is dismissed as abated. Interim relief, if any, is vacated. No costs.

[R.S. GARG, J.]

pirzada/-